

OGC Has Reviewed

**CONFIDENTIAL**

*Slime  
Engling*

2 March 1948

MEMORANDUM FOR:

CHIEF  
PERSONNEL BRANCH

SUBJECT:

Appointment of Naturalized Citizens  
and Aliens

1. Reference is made to your oral request for an opinion concerning the legality of appointing for duty in the continental United States an alien to be paid from vouchered funds. This matter is the subject of a memorandum, dated 3 January 1947, to the Deputy Executive for Personnel and Administration from this office. A copy of that memorandum is attached.
2. Section 202 of the Independent Offices Appropriation Act, 1948, approved 30 July 1947, contains language very similar to that of the 1947 Independent Offices Appropriation Act which is discussed in paragraph 3 of the 3 January 1947 memorandum. Section 202 further provides "this section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the prosecution of the war".
3. You state the particular case involves a citizen of Russia who has filed his first papers, declaring his intention to become an American citizen, and that you wish to employ this individual for duty in Washington. It appears clear that a citizen of Russia is a national of a country allied with the United States in the prosecution of the war within the meaning of Section 202. (cf. Decision of Comptroller General, dated 7 April 1947, B-64711). Therefore, there would be no legal objection to the employment of a national of Russia for duty in Washington. Your attention is called to paragraph 4 of the memorandum of 3 January 1947 concerning appropriate security investigations and questions of policy.
4. The question of employing aliens is being considered in connection with the proposed legislation for CIA. The point will be discussed with the Bureau of the

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*Employment in Bureau*

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Budget, together with other points in the proposed legislation. This office will advise you of developments concerning this particular point.

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Assistant General Counsel

Encls: 1  
Copy of Memo of 3 January 1947

cc: Executive for AAM  


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